

Makes technical changes to the election code.

New law requires the commissioner of elections to submit annually to the legislature, in a format requested by the legislature, a list of registered voters and other associated data to be used for redistricting and other legislative purposes. Requires that such lists and data be updated quarterly as requested by the legislature. (§31)

Existing law provides that if an applicant to register to vote was previously registered as a voter in another parish, then the registrar must promptly notify the registrar of the other parish in which the applicant was registered previously of the present registration. The other registrar must cancel the voter's registration in the other parish; however, the cancellation shall not be made as long as the registrant has the right to vote in the parish of his former residence.

New law retains existing law but provides that the statewide voter registration system may identify a duplicate registration based upon criteria as established by the Dept. of Elections and Registration. If all criteria correspond exactly, the department must cancel the duplicate registration; however, the registration must not be canceled as long as the registrant has the right to vote in the parish of his former residence. Requires the department to give prompt notification of any cancellation to the registrar of the parish in which the applicant was previously registered. (§108)

Prior law provided that a change of voter registration based upon a change of residence from one precinct to another within a parish that was received after the close of registration for a primary election became effective the day after the general election.

New law provides that any change of registration based upon a change of residence within a parish that is received after the close of registration for a primary election becomes effective the day after the general election. (§110)

Dept. of Health and Hospitals corresponds exactly to the criteria for cancellation of voter registration and to promptly notify the registrar of the parish in which the voter was registered of such cancellation. Also requires the Dept. of Elections and Registration, on a monthly basis, to send the information received from the Dept. of Health and Hospitals regarding deceased persons, whose registrations were not canceled by the Dept. of Elections and Registration, to the registrar of voters for each parish. (§173)

New law requires the clerk of court or entity responsible for jury duty notices to notify the registrar of voters, on a monthly basis, of any returned jury duty notice indicating the person is unable to serve because he no longer resides in the parish. (§178)

New law also requires each federal district court in the state, upon expiration of each jury selection panel, to notify the Dept. of Elections and Registration of any person identified as out of the jurisdiction within the time limit of a particular panel for jury selection. Requires the Dept. of Elections and Registration to send the information received from the federal district courts to the registrar of voters of each parish. (§178)

New law requires the registrar to make any necessary changes prior to the general election to the registration records of an inactive voter who has completed an address confirmation card after the close of books for the primary election. (§196)

Prior law provided that there must have been at least 12 weeks between the issuance of the proclamation calling a special election and the date of the special primary election.

New law reduces the minimum time period to 11 weeks between the issuance of the proclamation calling a special election and the date of the special primary election. Also removes provisions prohibiting a special primary at the same time as the gubernatorial election if that date is less than 14 weeks after the date the proclamation was issued and requiring that in such case the special primary be held after the gubernatorial election. (§402)

picture identification an affidavit to sign to that effect. (§§431 and 433)

Existing law prohibits the dual candidacy of a person. Existing law provides when a candidate has filed multiple notices of candidacy for election to more than one office at the same election and no action objecting to candidacy on such grounds has been commenced, then, upon expiration of the time for such objections to candidacy, the candidate is disqualified as a candidate in the primary for all offices except the last office for which he filed a notice of candidacy. Requires the secretary of state to include the name of the candidate on the ballot for election to the last office for which he qualified and for no other office for which dual candidacy would be prohibited.

Existing law provides that dual candidacy is grounds for an objection to the candidacy of a candidate in a primary election.

New law retains existing law prohibition on dual candidacy and specifically provides that the dual candidacy prohibition applies both to the primary and general elections. (§§461 and 492)

Existing law provides that a precinct cannot be changed, nor established or altered in any way as a result of annexation, alphabetical division by voter surname, or otherwise, between the opening of qualifying and the general election or in the case of proposition elections, no such change can be implemented after the 46th day prior to the election.

New law retains existing law and also prohibits an annexation from being implemented during the same time period. (§532.1)

Prior law required the commissioner to sign the precinct register next to the voter's signature or mark and write in the date of the election.

New law requires commissioner to initial the precinct register next to the voter's signature or mark and removes the requirement that the commissioner sign and write in the date of the election on the precinct register. (§562)

New law retains existing law but specifies that the duplicate list of

reinspection is responsible for reasonable costs and specifies that the members of the parish board of election supervisors are entitled to reimbursement at the same rate as other meetings of the board (\$50) and that such reimbursement does not count toward the five-meeting limit per election. (§573)

Existing law provides a procedure for filling anticipated vacancies in elected offices. Prior law provided that the declaration of an anticipated vacancy was irrevocable three days after the secretary of state transmitted the notice to the authorities responsible for filling the vacancy and for calling the election to fill the vacancy.

New law provides that the declaration of an anticipated vacancy is irrevocable when received by the secretary of state. (§583)

Existing law relative to resignation of elected public officers applies to the resignation of all elected officials of this state and its political subdivisions except for members of the legislature and members of the congress. Provides that except for members of the legislature and the congress, all resignations of elected officials shall be filed with the secretary of state. Requires that the resignation be in writing and dated, and allows the resignation to specify a prospective date on which the resignation will be effective. Further requires the resignation to be signed by the official and duly acknowledged by him before an officer authorized to administer oaths.

Existing law requires the secretary of state to immediately transmit notice of resignations to the authorities required by law to make the appointment to fill the vacancy and to call the election to fill the vacancy.

Existing law provides that a resignation becomes irrevocable upon receipt by the secretary of state.

New law retains existing law and establishes a resignation procedure for members of the legislature. Requires a resignation of a member of the legislature to be filed with the presiding officer of the house of the legislature to which the member of the legislature was elected. Requires the resignation to be in writing and dated, and allows the resignation to specify a prospective

recall, the public officer was, ipso facto, recalled and removed from office. Provided that the governor shall, by proclamation, declare the office vacant and required the office be filled according to the constitution and laws of the state.

New law provides that when the majority of those voting is in favor of the recall, the public officer is, ipso facto, recalled and removed from office, and that the office is vacated upon receipt by the secretary of state of certified returns from all of the parish boards of election supervisors within the jurisdiction. Removes provision for governor's proclamation of the vacancy. New law retains existing law requiring the office be filled according to the constitution and laws of the state. (§1300.13)

Existing law provides for voting absentee by mail.

New law provides that a request for an application to vote by mail may be delivered to the registrar by any means, including the postal service, commercial delivery service, hand delivery, or facsimile. (§1307)

Existing law (R.S. 18:1333(D)(2)) provides that a request to vote absentee in a nursing home must be submitted to the registrar at least 30 days prior to the election.

New law retains existing law but provides that the general provision regarding the deadline for requests for an application to vote by mail is not applicable to a request to vote absentee in a nursing home. (§1307)

New law also expands the definition of nursing home for the purpose of voting absentee in a nursing home to include a veterans' home, operated by the state or federal government, where a physically handicapped person, who is unable to vote in person at the polls or by absentee ballot because of a physical handicap, is confined. (§1333)

Existing law requires the registrar to establish the voter's identity by requiring him to submit his current Louisiana driver's license, his current registration certificate, or other identification card, or by comparison with the descriptive

New law retains existing law but requires a written request to be filed with the clerk of court. Requires all recounts and inspection of flaps to be held at 10:00 a.m. or following the reinspection of voting machines on the 5th day after the election. If the 5th day is a holiday or weekend, then the recount is conducted on the next working day. Also allows recounts upon a court order. Provides that the deadline for requesting a recount or inspection is the last working day prior to the date of the recount. Requires the clerk of court to post notice of the recount immediately upon receiving the request. Requires that the candidate or his representative be allowed to inspect the removed ballot flaps.

New law retains existing law and specifies that the candidate requesting the recount is responsible for reasonable costs and that the members of the parish board of election supervisors are entitled to reimbursement at the same rate as other meetings of the board (\$50) and that such reimbursement does not count toward the five-meeting limit per election. Provides that they shall not receive reimbursement if they were paid for attending the reinspection of voting machines on the same day as the recount or inspection of flaps of absentee ballots. (§1313)

Existing law authorizes suits objecting to the candidacy of a person and contesting the outcome of an election. Provides for the proper parties to such suits, the jurisdiction, venue, and time for commencement of such suits. Provides for the time and manner in which such suits are to be tried by the courts.

New law retains existing law and specifically authorizes a qualified elector to bring an action contesting the calling of a special election within 14 days after the calling of such special election. Authorizes such action if elector alleges that no special election should have been called or that it was called on an improper day. Requires the secretary of state to be made a defendant in such action. Provides that the district courts have jurisdiction in such actions. Provides that the proper venue for such actions is the district court in which the governing authority calling the special election is domiciled; except that if the governor, president of the Senate, or speaker of the House of Representatives calls the election, the proper venue is the district court in

later than the first working day after the due date which is not a federal or state holiday. (§1485)

Existing law requires each precinct to be a contiguous, compact area having clearly defined and clearly observable boundaries coinciding with visible features readily distinguishable on the ground, such as designated highways, roads, streets, rivers, or canals, and depicted on United States Bureau of the Census base maps for the next federal decennial census, except where the precinct boundary is coterminous with the boundary of a parish or an incorporated place when the boundaries of a single precinct contain the entire geographic area of the incorporated place.

New law retains existing law but also allows precinct boundaries that are approved extensions of visible features. Defines "approved extension" as an extension of one visible feature to another visible feature which has been approved by the secretary of the Senate and the clerk of the House of Representatives or their designees and which is or which will be a census tabulation boundary. (§532)

Existing law provides that no election precinct can be created, divided, abolished, or consolidated, or the boundaries thereof otherwise changed between January first of any year of which the last digit is nine and December thirty-first of any year of which the last digit is three, unless ordered by a court of competent jurisdiction. Requires precincts with fewer than 300 voters to be consolidated after January 1, 2002, provided that no such consolidation can cause a precinct to be in more than one state, local, or municipal office voting district as reapportioned following the 2000 federal decennial census.

New law retains existing law but removes the exception for consolidation of precincts with fewer than 300 voters and also provides that the requirement for consolidation of such precincts is not effective between July 1, 1999 and December 31, 2003. (§§532, 532.1)

New law provides that the precinct boundaries submitted to the U.S. Bureau of the Census by a parish through the secretary of the Senate and the clerk of the House of Representatives or their designees and approved by the Bureau

election and ending on the date of the general election. For proposition elections, provides that no precinct can be established or altered in any way during the period commencing on the 46th day prior to the election and ending on the date of the election. (§532.1)

Effective January 1, 2000, except provisions relating to the 2000 census and the precinct freeze (R.S. 18:31(E), 532(B)(1) and (5), 532.1(D) and (G), and 1903(A)) are effective July 1, 1999.

(Amends R.S. 18:108, 110(B)(1), 116(A)(1)(a) and (E), 173(A), 402(E)(1)(intro. para.), 424(C)(2), 425(C), 431(A)(1)(b) and (B)(1), 433(A)(3), 461(B), 492(4), 532(B)(1), 532.1(D) and (E)(1) and (3), 562(D), 571(11), 573(A)(3), 583(B)(3) and (C), 651, 652, 653, 654, 1285(B)(1)(a), 1300(C)(1), 1300.13, 1307(B), 1309(D), 1312(B), 1313(I)(2) and (3), 1333(A), 1402(C), 1403, 1404(A), 1406(A), (C), and (D), 1409(A), 1410, 1485(B), and 1903(A); Adds R.S. 18:31(E), 173(D), 178, 196(C)(3), 532(B)(5), 532.1(G), 1313(I)(4), 1401(D), 1405(G), and 1415(F); Repeals R.S. 18:402(E)(4))